

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID GRANT PETERSON,

Plaintiff,

v.

DONALD R HOLBROOK,

Defendant.

CASE NO. 3:21-cv-05337-DGE-TLF

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING PLAINTIFF'S
COMPLAINT

Presently before the Court is a report and recommendation (“R&R”) issued by United States Magistrate Judge Theresa L. Fricke recommending dismissal of Plaintiff’s complaint for failure to pay the required filing fee or submit an in forma pauperis (“IFP”) application. (Dkt. No. 3.)

Plaintiff filed his proposed complaint on May 6, 2021 and was notified on May 10 that his complaint was deficient. (Dkt. No. 2.) Plaintiff was instructed to either pay the filing fee or apply for IFP status by June 9, 2021. (*Id.*) The Court has not received either, and Plaintiff has not objected to Judge Fricke’s R&R.

1 The Court, having reviewed the Report and Recommendation of Magistrate Judge
2 Theresa L. Fricke, objections to the report and recommendation, if any, and the remaining
3 record, does hereby find and ORDER:

4 (1) The Court ADOPTS the Report and Recommendation; and

5 (2) Plaintiff's complaint is DISMISSED without prejudice for failure to pay the filing fee
6 or submit an in forma pauperis application.

7 Dated this 30th day of November, 2021.

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10 David G. Estudillo
11 United States District Judge
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